

## **REMARKS**

Applicant has reviewed this application in light of the Office Action of April 26, 2005. Claims 22-35 are pending, and all claims are rejected. In response, the Specification is amended; claims 22, 32, and 33 are amended; a Terminal Disclaimer is submitted; and the following remarks are submitted.

### **I. Amendments to the Specification.**

The disclosure has been objected to because of an informality in which the continuing data provided by the Applicants in the specification is not consistent with PTO records. The preliminary amendment filed February 6, 2004 contained a typographical error, erroneously claiming priority as a continuation of 10/109,955, instead of the parent application 10/109,995. The correct priority application was identified in Box 18 of the Utility Patent Application Transmittal, Form PTO/SB/05 filed with the instant Application on February 6, 2004.

Paragraph [0005] is amended to correct the typographical error and make the specification consistent with the correct priority data as indicated in the priority claim of the Transmittal Form when the application was filed. The specification is also amended to reflect the US Patent number assigned to Application No. 10/109,995 upon issuance.

It is believed that the foregoing amendments overcome the Examiner's objection and Applicants respectfully request the objection be withdrawn.

### **II Amendments to the claims.**

Claim 22 is amended in response to the rejection under 35 USC § 112. It is believed that the foregoing amendment overcomes the Examiner's rejection and Applicants respectfully request that the rejection be withdrawn.

Claims 32-33 are amended to correct a dependency error.

### **III. Double Patenting Rejection.**

Applicants submit herewith a terminal disclaimer, which obviates the obviousness-type double patenting rejection over US 6,692,550.

-7-

**CONCLUSION**

In view of the above, Applicants respectfully request reconsideration of the Application, withdrawal of the outstanding objections and rejections, and allowance all pending claims in a timely manner. If the Examiner believes that prosecution of this Application could be expedited by a telephone conference, the Examiner is encouraged to contact the Applicants' undersigned representatives.

This Response has been filed within three (3) months of the mailing date of the Office Action and it is believed that no fees are due with the filing of this paper. In the event that Applicants are mistaken in their calculations, the Commissioner is hereby authorized to deduct any fees determined by the Patent Office to be due from the undersigned's Deposit Account No. 50-1059.

Dated: May 26, 2005

Respectfully submitted,

McNees Wallace & Nurick LLC



Shawn K. Leppo  
Reg. No. 50,311  
100 Pine Street  
P.O. Box 1166  
Harrisburg, PA 17108-1166

Phone: (717) 237-5218  
Fax: (717) 237-5300